

3100.8400 ASSISTANTS WITHOUT A LICENSE OR PERMIT.

Subpart 1. **Permissible duties.** Assistants under this subpart may:

A. perform all those duties not directly related with performing dental treatment or services on patients;

B. retract a patient's cheek, tongue, or other parts of tissue during a dental operation;

C. assist with the placement or removal of a rubber dam and accessories used for its placement and retention, as directed by an operating dentist during the course of a dental operation;

D. remove debris by the use of vacuum devices, compressed air, mouthwash, and water that is normally created or accumulated during the course of treatment rendered by a licensed dentist;

E. provide any assistance, including the placement of articles and topical medication in a patient's oral cavity, in response to a specific direction by a licensed dentist who is physically engaged in performing a dental operation as defined in the act and who is physically in a position to give personal supervision to the assistant;

F. aid dental hygienists and licensed dental assistants in the performance of their duties as defined in parts 3100.8500 and 3100.8700; and

G. apply fluoride varnish in a community setting under the authorization and direction of a licensed practitioner with prescribing authority such as a dentist or physician, as long as the licensed practitioner authorizing the service or the facility at which the fluoride varnish is administered maintains appropriate patient records of the treatment.

Subp. 1a. **Compliance with minimal requirements.** The dentist is responsible for ensuring that any assistant working under the dentist's supervision as defined in subpart 1 complies with items A and B:

A. completing a CPR certification course and maintaining current CPR certification thereafter; and

B. compliance with the most current infection control recommendations, guidelines, precautions, procedures, practices, strategies, and techniques specified in the United States Department of Health and Human Services, Public Health Service, Centers for Disease Control publications of the Morbidity and Mortality Weekly Report (MMWR).

Subp. 2. [Repealed, 10 SR 1612]

Subp. 3. **Other duties prohibited.** An assistant may not perform any dental treatment or procedure on patients not otherwise authorized by this chapter.

Statutory Authority: *MS s 150A.04; 150A.06; 150A.08; 150A.10; 150A.11; 214.15; 319A.18*

History: *10 SR 1612; 20 SR 2316; 35 SR 459; 37 SR 1849*

Published Electronically: *July 8, 2013*